



Gerard P. Fox

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October 5, 2021

**VIA ELECTRONIC MAIL**

Honorable Mary Kay Vyskocil  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 2230  
New York, NY 10007

**Re: *Goureau et al. v. Lemonis et al.*, Case No.: 1-20-cv-04691-MKV**

Dear Judge Vyskocil,

Pursuant to Your Honor's September 2, 2021 Order (Dkt. No. 77 (the "MTD Order")), Plaintiffs write to advise the Court that they intend to request leave to file a revised proposed amended complaint, superseding the proposed Second Amended Complaint currently on file (Dkt. No. 70-4) and setting forth additional facts in support of their claims. Given, however, that Plaintiffs have moved for reconsideration of the MTD Order (Dkt. No. 80), which motion is currently scheduled to be fully submitted on November 1, 2021, Plaintiffs respectfully submit that any briefing in support of their newly revised proposed amended complaint should be set after Your Honor had a chance to rule on the Reconsideration Motion. This way, all the issues concerning Plaintiffs' claims would be fully streamlined and briefed in an orderly fashion.

Respectfully submitted,

A handwritten signature in black ink that reads "Gerard P. Fox".

Gerard P. Fox

cc: All the ECF recipients